



# STATE OF WISCONSIN

# Assembly Journal

## Ninety–Third Regular Session

4:00 P.M.

TUESDAY, July 1, 1997

The Assembly met in the Assembly Chamber located in the State Capitol.

Representative M. Lehman in the chair.

The Assembly dispensed with the call of the roll.

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### ADMINISTRATIVE RULES

#### Assembly Clearinghouse Rule 96–188

Relating to the nonpoint source pollution abatement program.

Submitted by Department of Natural Resources.  
Report received from Agency, June 24, 1997.  
To committee on **Natural Resources**.  
Referred on July 1, 1997.

#### Assembly Clearinghouse Rule 97–015

Relating to sport fishing and fish refuges.  
Submitted by Department of Natural Resources.  
Report received from Agency, June 24, 1997.  
To committee on **Natural Resources**.  
Referred on July 1, 1997.

#### Assembly Clearinghouse Rule 97–017

Relating to safe drinking water standards.  
Submitted by Department of Natural Resources.  
Report received from Agency, June 24, 1997.  
To committee on **Environment**.  
Referred on July 1, 1997.

#### Assembly Clearinghouse Rule 97–018

Relating to hunting and trapping.  
Submitted by Department of Natural Resources.  
Report received from Agency, June 24, 1997.  
To committee on **Natural Resources**.  
Referred on July 1, 1997.

#### Assembly Clearinghouse Rule 97–019

Relating to hunting and trapping.  
Submitted by Department of Natural Resources.  
Report received from Agency, June 24, 1997.  
To committee on **Natural Resources**.  
Referred on July 1, 1997.

#### Assembly Clearinghouse Rule 97–044

Relating to continuing education requirements for assessors.

Submitted by Department of Revenue.  
Report received from Agency, June 24, 1997.  
To committee on **Ways and Means**.  
Referred on July 1, 1997.

#### Assembly Clearinghouse Rule 97–046

Relating to telecommunications services.  
Submitted by Department of Revenue.  
Report received from Agency, June 23, 1997.  
To committee on **Ways and Means**.  
Referred on July 1, 1997.

#### Assembly Clearinghouse Rule 97–053

Relating to review of plats.  
Submitted by Department of Revenue.  
Report received from Agency, June 24, 1997.  
To committee on **Land Use**.  
Referred on July 1, 1997.

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### Assembly Joint Resolution 64

Relating to: limiting the number of consecutive terms permitted for governors (first consideration).

By Representatives Bock, Lorge, Ziegelbauer, R. Young, Boyle, Hanson, Wasserman, Meyer and Plouff.  
To committee on **Elections and Constitutional Law**.

#### Assembly Bill 440

Relating to: worker's compensation coverage of a member of a legally organized diving team.

By Representatives Meyer, Musser, Plouff, Gronemus, Sykora, Goetsch, Kelso, Gunderson and Porter; cosponsored by Senators Rude, Farrow and Roessler.  
To committee on **Labor and Employment**.

#### Assembly Bill 441

Relating to: eliminating substitution of judges in criminal matters.

By Representatives Walker, Ladwig, Huebsch, Duff, Dobyns, Ainsworth, Kelso, Ziegelbauer, Olsen, Hahn, Schafer, Musser, Gunderson, Jensen, Nass, Sykora and Jeskewitz; cosponsored by Senators Darling and Roessler.  
To committee on **Judiciary**.

**Assembly Bill 442**

Relating to: standards for determining legal custody and physical placement of children in actions affecting the family, jurisdictional requirements in actions affecting the family, prohibitions against moving a child outside of a school district after divorce, standards for modifying custody and physical placement orders, temporary orders in actions affecting the family, visitation rights of 3rd parties, prohibiting the appointment of a guardian ad litem in all but certain actions affecting the family and making records of paternity proceedings open records.

By Representatives Musser, Gronemus, Brandemuehl, Ryba, Skindrud, Goetsch and Hahn; cosponsored by Senators George, Rude, Breske and Welch.

To committee on **Children and Families**.

**Assembly Bill 443**

Relating to: the powers of full-time court commissioners.

By Representatives Walker, Dobyms, Kelso, Goetsch, Musser, Jensen, Sykora and Gunderson; cosponsored by Senators Fitzgerald, Rude and Darling.

To committee on **Judiciary**.

**Assembly Bill 444**

Relating to: fermented malt beverage wholesalers.

By Representatives Musser, Huebsch, Green, Meyer, Owens, Duff, Gronemus, Gard, Hasenohrl, M. Lehman, Huber, Kaufert, Boyle, Kelso, Kunicki, Kreibich, Wasserman, Ryba, Schafer, La Fave, Sykora, Ourada, Walker, Ward, Krug, Plale and Ziegelbauer; cosponsored by Senators Shibilski, Rude, Breske, Schultz, Jauch, Welch, Huelsman, Grobschmidt, Rosenzweig, Drzewiecki, George, Fitzgerald and Wineke.

To committee on **State Affairs**.

**Assembly Bill 445**

Relating to: the sale, use, shipping, storage and handling of fireworks and granting rule-making authority.

By Representatives Wood, La Fave, M. Lehman, Goetsch, Powers, Jensen, Notestein, R. Young, Lazich, Hanson, Gunderson, Gronemus, Williams, Ziegelbauer, Albers, Hutchison, Hahn, Brandemuehl and Ainsworth; cosponsored by Senators Breske, Weeden, Rude, Plache and Decker.

To committee on **State Affairs**.

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**PETITIONS**

**Assembly Petition 1**

A petition signed by approximately 1,000 citizens of Crawford and Grant counties in opposition to the adoption by the Department of Natural Resources of proposed NR 10.02 (9), 27.03 (3)(c)lm, and 27.06 (5), relating to the timber rattlesnake.

By Representative Johnsrud.

To committee on **Natural Resources**.

**Assembly Petition 2**

A petition signed by approximately 2,000 citizens of the State of Wisconsin in opposition to Assembly Bill 182, relating to prohibiting the use of dogs in the hunting of bear.

By Representative Johnsrud.

To committee on **Natural Resources**.

**Assembly Petition 3**

A petition signed by approximately 250 citizens of the State of Wisconsin in opposition to the adoption by the Department of Natural Resources of proposed NR 10.02 (9), 27.03 (3)(c)lm, and 27.06 (5), relating to the timber rattlesnake.

By Representative Johnsrud.

To committee on **Natural Resources**.

**Assembly Petition 4**

A petition signed by approximately 700 citizens of the State of Wisconsin in support of environmentally responsible mining.

By Representative Duff.

To committee on **Environment**.

**Assembly Petition 5**

A petition signed by approximately 280 citizens of the State of Wisconsin in opposition to Governor Thompson's budget proposal to tax laundromats.

By Representative Black.

To committee on **Ways and Means**.

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**COMMITTEE REPORTS**

The joint committee on **Finance** reports and recommends:

**Assembly Bill 197**

Relating to: abating nuisances caused by solid waste resulting from manufacturing tires.

Assembly amendment 1 adoption:

Ayes: 9 – Representatives Kaufert and Coggs; and Senators Burke, Decker, George, Jauch, Wineke, Shibilski and Panzer.

Noes: 6 – Representatives Jensen, Ourada, Harsdorf, Albers and Gard; and Senator Cowles.

Passage as amended:

Ayes: 13 – Representatives Ourada, Harsdorf, Albers, Gard, Kaufert and Coggs; and Senators Burke, Decker, George, Jauch, Wineke, Shibilski and Panzer.

Noes: 2 – Representative Jensen; and Senator Cowles.

To committee on **Rules**.

*SCOTT JENSEN*

Assembly Chairperson

Joint committee on Finance

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**MESSAGE FROM THE SENATE**

By Donald J. Schneider, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Passed and asks concurrence in:

- Senate Bill 31**
- Senate Bill 124**
- Senate Bill 193**

Concurred in as amended:

- Assembly Bill 187** (Senate amendment 1 adopted)

**ACTION ON THE SENATE MESSAGE**

**Assembly Bill 187**

Relating to: the imposition of service charges for a storm water and surface water sewerage system.

By Representatives Staskunas, Duff, Krug, Jensen, Ziegelbauer, R. Young, Black, Cullen, Vrakas, La Fave, Lazich, Bock, Riley and Ott; cosponsored by Senators Rosenzweig, Burke and Farrow.

To committee on **Rules**.

**Senate Bill 124**

Relating to: the prohibition of obtaining title by adverse possession to real estate owned by a public body.

By Senator Breske; cosponsored by Representatives Handrick, Boyle, Ourada, Black, Goetsch, Vander Loop, Ryba, Hasenohrl, R. Young, Musser, Baumgart, Seratti, Kreuser, Ott and Huber.

To committee on **Urban and Local Affairs**.

**Senate Bill 193**

Relating to: criminal slander of title, civil slander of title, simulating legal process, falsely assuming to act as a public officer, public employe or utility employe, failing to file a statement terminating a security interest under a financing statement and providing penalties.

By Senators Risser, Huelsman, Clausing, Panzer, Breske, Farrow and Rosenzweig; cosponsored by Representatives M. Lehman, Hanson, Goetsch, R. Young, Dobyms, Jensen, La Fave, Nass, Powers, Olsen, Sykora, Kelso, Plale and Wasserman.

To committee on **Judiciary**.

**Senate Bill 31**

Relating to: the requirements for receiving an automatic joint survivor death benefit under the Wisconsin retirement system.

By Senators Grobschmidt, C. Potter, Rude, Risser, Buettner, Plache, Fitzgerald, Shibilski, Moen and Schultz; cosponsored by Representatives Hanson, Ott, Travis, Musser, Dobyms, Huber, Notestein, Boyle, Turner, Ziegelbauer, R. Young, Plale, Kreuser, Springer, Baldwin, Gronemus, Black, Hasenohrl, Ryba, Brandemuehl, Murat, Meyer and Lorge.

To committee on **Ways and Means**.

**ENROLLED BILLS**

The following Assembly proposals, which have been approved by both the Assembly and Senate, have been enrolled by the Legislative Reference Bureau:

- Assembly Bill 79**
- Assembly Bill 248**

*CHARLES R. SANDERS*  
Assembly Chief Clerk

**COMMUNICATIONS**

State of Wisconsin  
Revisor of Statutes Bureau  
Madison

July 1, 1997

Charles R. Sanders  
Assembly Chief Clerk

Donna Doyle  
Senate Chief Clerk's Office

The following rules have been published:

Clearinghouse Rule 94-122	effective	7-1-97
Clearinghouse Rule 96-7	effective	7-1-97
Clearinghouse Rule 96-41	effective	7-1-97
Clearinghouse Rule 96-42	effective	7-1-97
Clearinghouse Rule 96-81	effective	7-1-97
Clearinghouse Rule 96-122	effective	7-1-97
Clearinghouse Rule 96-133	effective	7-1-97
Clearinghouse Rule 96-159	part eff.	7-1-97
Clearinghouse Rule 96-168	effective	7-1-97
Clearinghouse Rule 96-174	effective	7-1-97
Clearinghouse Rule 96-177	effective	7-1-97
Clearinghouse Rule 96-190	part eff.	7-1-97
Clearinghouse Rule 96-191	effective	7-1-97
Clearinghouse Rule 96-194	effective	7-1-97
Clearinghouse Rule 97-4	effective	7-1-97
Clearinghouse Rule 97-5	effective	7-1-97

Sincerely,  
*GARY L. POULSON*  
Deputy Revisor

**REFERRAL OF AGENCY REPORTS**

State of Wisconsin  
Medical College of Wisconsin  
Madison

June 23, 1997

To the Honorable, the Assembly:

On behalf of the Medical College of Wisconsin, it is my pleasure to submit the annual report on the activities of our Department of Family and Community Medicine.

This report has been prepared in accordance with the requirements of [1995 Wisconsin Act 54](#) and provides information about the items specified in the Act.

Please feel free to contact me if you or your staff have any questions or would like more information about our family medicine program or other activities of the College. I apologize for the delay in submitting the report.

Sincerely,  
*DONNA K. GISSEN*  
Vice President  
Planning and Government Affairs

Referred to committee on **Health**.

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### AGENCY REPORTS

DATE: June 27, 1997

TO: Charles R. Sanders  
Assembly Chief Clerk

FROM: Jon E. Litscher, Secretary  
Department of Employment Relations

RE: Veterans Employment Report

The Veterans Employment Report for Wisconsin State Government, covering fiscal year 1996 is attached. The Report was prepared in compliance with [1991 Wisconsin Act 101](#), which made significant changes in the State's personnel laws as they affect veterans and affirmative action.

Information for the State agencies came from the central payroll system and the University of Wisconsin System Administration, Department of Information Technology.

If you have questions, please contact Greg Jones, Administrator, Division of Affirmative Action, at 608-266-3017.

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State of Wisconsin  
Legislative Audit Bureau  
Madison

July 1, 1997

To the Honorable, the Legislature:

We have completed a best practices review of local government operations as required by s. [13.94\(8\)](#), Wis. Stats.

The provision of 9-1-1 emergency telephone service was selected as the topic of our review with the assistance of the Local Government Advisory Council, which consists of representatives of counties, cities, villages, and towns.

State statutes allow local governments broad discretion in determining whether and how 9-1-1 telephone service will be provided. We estimate that 94 percent of Wisconsin residents have access to 9-1-1 telephone service, but service is not available to about 294,000 residents of 15 lesser-populated counties and portions of another county. Telephone companies collected approximately \$5.4 million in 1996 for providing 9-1-1 service and, based on responses of local officials to our survey, approximately \$70 million is spent annually by local governments to operate 9-1-1 answering points.

The organization, equipment, staffing, and services of 9-1-1 answering points vary widely. Based on the 9-1-1 experiences of several counties and municipalities, as well as professional literature, this report identifies best practices to follow when delivering 9-1-1 service. We also identify specific practices for local governments to consider in identifying equipment and staffing needs, establishing service area boundaries, processing incoming calls, and dispatching emergency service providers. In addition, we note that future 9-1-1 service delivery may be affected by advances in telecommunications technology, changes in public expectations, and proposed changes to how 9-1-1 service is funded.

We thank the Local Government Advisory Council for its assistance in the completion of this review, and we appreciate the courtesy and cooperation extended to us by local government staff.

Respectfully submitted,  
*DALE CATTANACH*  
State Auditor

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### ADJOURNMENT

Representative Foti moved that the Assembly stand adjourned until 10:00 A.M. on Thursday, July 3.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

4:01 P.M.